

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BODYGUARD PRODUCTIONS, INC.,

Case No. C17-1647RSM

Plaintiff,

V.

ORDER TO SHOW CAUSE

DOE 1, et al.,

Defendants.

This matter was filed on November 3, 2017. *See* Dkt. #1. Plaintiff Bodyguard Productions, Inc., (“Bodyguard”) alleges seventeen Doe Defendants participated in the same BitTorrent “swarm” to infringe the same unique copy of the movie *The Hitman’s Bodyguard*. *Id.* ¶¶ 10–14. Because the identities of the Doe Defendants are unknown, Bodyguard filed a motion to expedite discovery. Dkt. #5. The Doe Defendants are represented by Internet Protocol (“IP”) addresses which allegedly demonstrate they participated in on-line sharing of *The Hitman’s Bodyguard* between 5:54 p.m. on September 17, 2017, and 10:42 a.m. on September 30, 2017. Dkt. #1, Ex. B. Although the evidence of internet activity shows that hours, days, and in some cases weeks, separated each defendant’s allegedly infringing conduct, Bodyguard alleges that all seventeen Doe

1 Defendants participated in a single BitTorrent “swarm,” and that the “swarm” aspect of their
2 alleged file-sharing justifies joinder of these defendants in a single lawsuit. *See id.* ¶¶ 18–24.

3 Although this is the first case filed by Bodyguard, its counsel has filed dozens of BitTorrent
4 cases against hundreds of doe defendants in this District. As the Court becomes more familiar
5 with these BitTorrent cases, concern about the potential for abuse in these matters has arisen. *See,*
6 *e.g.*, *Venice PI, LLC v. Doe 1, et al.*, Case No. C17-988TSZ, Dkt. #27 ¶¶ 2 n.1 and 3. Bodyguard’s
7 counsel’s actions in this district are of particular concern, and the Court questions the propriety of
8 Bodyguard’s efforts to join several doe defendants in a single matter. *See id.*; also *Cobbler*
9 *Nevada, LLC v. Kevin James*, Case No. C15-1430-TSZ, Dkt. #78. Given these concerns, and
10 having reviewed the record in this and related cases, the Court hereby ORDERS as follows:
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- 13 Plaintiff shall, within fourteen days of this Order, show cause in writing why the
14 Court should not: (1) sever all defendants except the first defendant in this case;
15 and (2) dismiss the remaining defendants without prejudice.

16 IT IS SO ORDERED.

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18 Dated this 27 day of November, 2017.

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RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE